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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------------------|------------------|
| 10/612,419  | 07/02/2003  | Joel R. Jaffe        | 47079-00212                     | 3591             |
| 30223   | 7590        | 07/25/2006           | EXAMINER<br>HARPER, TRAMAR YONG |                  |
| JENKENS & GILCHRIST, P.C.<br>225 WEST WASHINGTON<br>SUITE 2600<br>CHICAGO, IL 60606 |             |                      | ART UNIT<br>3714                | PAPER NUMBER     |

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                 |              |
|------------------------------|-----------------|--------------|
| <b>Office Action Summary</b> | Application No. | Applicant(s) |
|                              | 10/612,419      | JAFFE ET AL. |
|                              | Examiner        | Art Unit     |
|                              | Tramar Harper   | 3714         |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 02 July 2003.
- 2a) This action is FINAL.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-25 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/3/03, 11/22/04.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaplan (5,429,507).**

**Claim 1:** Kaplan discloses an electromechanical slot machine with refreshing Braille pads coinciding with the symbols per reels of the slot machine (Col. 1:31-33). The Braille pins are electronically raised and lowered according to the symbols on the respective rotating reels as they pass the pay line of the slot machine and according to the symbols on the respective rotating reels as the stop at the pay line representing the a game outcome (Col. 3:17-26). Furthermore, there is a Braille pad that indicates the number of coins won or collected (Col. 3:55-60).

**Claims 2, 10, & 19:** Kaplan discloses the moveable Braille elements being movable relative to a panel of the housing (Fig. 1, Braille pads (12, 14, 16, 18)).

**Claims 3-4, 11-12, & 20-21:** The Braille elements protrude from the panel and flush with the panel in an extended position (Fig. 1, Braille pads (12, 14, 16, 18)). The Braille elements are flush with the panel and recessed relative to the panel in the retracted position (Fig. 1, Braille pads (12, 14, 16, 18)). Kaplan discloses that prior to insertion of

coins for game play all Braille pad pins are down to present a smooth flat surface (Col. 5:55-57).

**Claims 5, 13, & 22:** Fig. 1 illustrates the movable Braille elements arrange in a line.

**Claims 6, 14, & 23:** The Braille pins are electronically raised and lowered according to the symbols on the respective rotating reels as they pass the pay line of the slot machine and according to the symbols on the respective rotating reels as the stop at the pay line representing the a game outcome (Col. 3:17-26). This is interpreted as the Braille pad pins moving in sequence, because it is conventionally known in the art for slot machine reels to move in sequence.

**Claims 7-8, 15-16, & 24-25:** Kaplan discloses a computer instructs the Braille pins of the respective reels to rise or lower based on received symbol signals received from each reel sensor corresponding the symbols as they pass the pay line and instructs the Braille pins of respective reels to stop and indicate the respective outcome of each reel (Col. 3:22-25; Col. 5:21-34). The computer also controls the winning pins corresponding the winning won during each game (Col. 5:36-37).

**Claim 17:** Kaplan discloses one of the predetermined outcomes as a jackpot/bonus outcome (Col. 2:61-65)

**Claims 9 & 18:** Kaplan discloses an electromechanical slot machine with refreshing Braille pads coinciding with the symbols per reels of the slot machine (Col. 1:31-33). Kaplan discloses a computer instructs the Braille pins of the respective reels to rise or lower based on received symbol signals received from each reel sensor corresponding the symbols as they pass the pay line and instructs the Braille pins of respective reels to

stop and indicate the respective game outcome of each reel (Col. 3:22-25; Col. 5:21-34). The computer also controls the winning pins corresponding the winning won during each game (Col. 5:36-37). The computer further records the coin-in or wagered amount to allow game play and indicate to the user the amount of coins played (Col. 555-60, Fig. 8 (Coins-In)).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The USPreGrant Pub of Seelig (2002/0094861), Seelig (2004/0043811), Seelig (2004/0180711), Rothkranz (2003/0040358), Rothranz (2004/0053658), Rothranz (2005/0054424), Hughs-Baird (2003/0064790), Nordman (2004/0053671), Gornez (2005/0049028), McComb (2005/0059454), and D'Avanzo (2006/0019733) and the US Patent of Seelig (6,814,665) all teach bonus gaming with various types of bonus indicators.

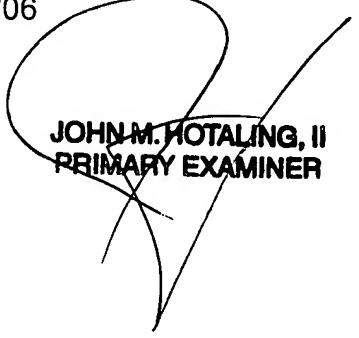
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tramar Harper whose telephone number is (571) 272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TH

7/19/06

  
JOHN M. HOTALING, II  
PRIMARY EXAMINER